

*As Amended by Senate Committee*

Session of 2006

**SENATE BILL No. 413**

By Committee on Transportation

1-19

10 AN ACT regulating traffic; concerning golf carts; amending K.S.A. 8-128,  
11 8-1701, 8-1717 and 8-2002 and K.S.A. 2005 Supp. 8-126, 8-1486 and  
12 8-2118 and repealing the existing sections.  
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 New Section 1. "Golf cart" means a motor vehicle that has not less  
16 than three wheels in contact with the ground, an unladen weight of not  
17 more than 1,800 pounds, is designed to be and is operated at not more  
18 than 25 miles per hour and is designed to carry not more than four per-  
19 sons including the driver.

20 New Sec. 2. (a) It shall be unlawful for any person to operate a golf  
21 cart: (1) On any interstate highway, federal highway or state highway; (2)  
22 on any street or highway with a posted speed limit greater than 30 miles  
23 per hour.

24 (b) The provisions of subsection (a) shall not prohibit a golf cart from  
25 crossing a federal or state highway or a street or highway with a posted  
26 speed limit in excess of 30 miles per hour.

27 (c) A golf cart shall be equipped with efficient brakes, brake lights,  
28 reliable steering apparatus, rearview mirror, red reflectorized warning  
29 devices in both the front and rear and turn signal equipment.

30 (d) A golf cart shall be operated only during the hours between sun-  
31 rise and sunset.

32 (e) This section shall be part of and supplemental to the uniform act  
33 regulating traffic on highways.

34 Sec. 3. K.S.A. 2005 Supp. 8-126 is hereby amended to read as fol-  
35 lows: 8-126. The following words and phrases when used in this act shall  
36 have the meanings respectively ascribed to them herein:

37 (a) "Vehicle" means every device in, upon or by which any person or  
38 property is or may be transported or drawn upon a public highway, ex-  
39 cepting electric personal assistive mobility devices or devices moved by  
40 human power or used exclusively upon stationary rails or tracks.

41 (b) "Motor vehicle" means every vehicle, other than a motorized bi-  
42 cycle or a motorized wheelchair, which is self-propelled.

43 (c) "Truck" means a motor vehicle which is used for the transporta-

1 tion or delivery of freight and merchandise or more than 10 passengers.

2 (d) “Motorcycle” means every motor vehicle designed to travel on  
3 not more than three wheels in contact with the ground, except any such  
4 vehicle as may be included within the term “tractor” as herein defined.

5 (e) “Truck tractor” means every motor vehicle designed and used  
6 primarily for drawing other vehicles, and not so constructed as to carry a  
7 load other than a part of the weight of the vehicle or load so drawn.

8 (f) “Farm tractor” means every motor vehicle designed and used as  
9 a farm implement power unit operated with or without other attached  
10 farm implements in any manner consistent with the structural design of  
11 such power unit.

12 (g) “Road tractor” means every motor vehicle designed and used for  
13 drawing other vehicles, and not so constructed as to carry any load  
14 thereon independently, or any part of the weight of a vehicle or load so  
15 drawn.

16 (h) “Trailer” means every vehicle without motive power designed to  
17 carry property or passengers wholly on its own structure and to be drawn  
18 by a motor vehicle.

19 (i) “Semitrailer” means every vehicle of the trailer type so designed  
20 and used in conjunction with a motor vehicle that some part of its own  
21 weight and that of its own load rests upon or is carried by another vehicle.

22 (j) “Pole trailer” means any two-wheel vehicle used as a trailer with  
23 bolsters that support the load, and do not have a rack or body extending  
24 to the tractor drawing the load.

25 (k) “Specially constructed vehicle” means any vehicle which shall not  
26 have been originally constructed under a distinctive name, make, model  
27 or type, or which, if originally otherwise constructed shall have been ma-  
28 terially altered by the removal of essential parts, or by the addition or  
29 substitution of essential parts, new or used, derived from other vehicles  
30 or makes of vehicles.

31 (l) “Foreign vehicle” means every motor vehicle, trailer or semitrailer  
32 which shall be brought into this state otherwise than in ordinary course  
33 of business by or through a manufacturer or dealer and which has not  
34 been registered in this state.

35 (m) “Person” means every natural person, firm, partnership, associ-  
36 ation or corporation.

37 (n) “Owner” means a person who holds the legal title of a vehicle, or  
38 in the event a vehicle is the subject of an agreement for the conditional  
39 sale thereof with the right of purchase upon performance of the condi-  
40 tions stated in the agreement and with an immediate right of possession  
41 vested in the conditional vendee or in the event a vehicle is subject to a  
42 lease of 30 days or more with an immediate right of possession vested in  
43 the lessee; or in the event a party having a security interest in a vehicle

- 1 is entitled to possession, then such conditional vendee or lessee or secured  
2 party shall be deemed the owner for the purpose of this act.
- 3 (o) “Nonresident” means every person who is not a resident of this  
4 state.
- 5 (p) “Manufacturer” means every person engaged in the business of  
6 manufacturing motor vehicles, trailers or semitrailers.
- 7 (q) “New vehicle dealer” means every person actively engaged in the  
8 business of buying, selling or exchanging new motor vehicles, travel trail-  
9 ers, trailers or vehicles and who holds a dealer’s contract therefor from a  
10 manufacturer or distributor and who has an established place of business  
11 in this state.
- 12 (r) “Used vehicle dealer” means every person actively engaged in the  
13 business of buying, selling or exchanging used vehicles, and having an  
14 established place of business in this state and who does not hold a dealer’s  
15 contract for the sale of new motor vehicles, travel trailers, trailers or  
16 vehicles.
- 17 (s) “Highway” means every way or place of whatever nature open to  
18 the use of the public as a matter of right for the purpose of vehicular  
19 travel. The term “highway” shall not be deemed to include a roadway or  
20 driveway upon grounds owned by private owners, colleges, universities  
21 or other institutions.
- 22 (t) “Department” or “motor vehicle department” or “vehicle depart-  
23 ment” means the division of vehicles of the department of revenue, acting  
24 directly or through its duly authorized officers and agents.
- 25 (u) “Commission” or “state highway commission” means the director  
26 of vehicles of the department of revenue.
- 27 (v) “Division” means the division of vehicles of the department of  
28 revenue.
- 29 (w) “Travel trailer” means every vehicle without motive power de-  
30 signed to be towed by a motor vehicle constructed primarily for recrea-  
31 tional purposes.
- 32 (x) “Passenger vehicle” means every motor vehicle, as herein defined,  
33 which is designed primarily to carry 10 or fewer passengers, and which  
34 is not used as a truck.
- 35 (y) “Self-propelled farm implement” means every farm implement  
36 designed for specific use applications with its motive power unit perma-  
37 nently incorporated in its structural design.
- 38 (z) “Farm trailer” means every trailer as defined in subsection (h) of  
39 this section and every semitrailer as defined in subsection (i) of this sec-  
40 tion, designed and used primarily as a farm vehicle.
- 41 (aa) “Motorized bicycle” means every device having two tandem  
42 wheels or three wheels, which may be propelled by either human power  
43 or helper motor, or by both, and which has:

- 1 (1) A motor which produces not more than 3.5 brake horsepower;  
2 (2) a cylinder capacity of not more than 130 cubic centimeters;  
3 (3) an automatic transmission; and  
4 (4) the capability of a maximum design speed of no more than 30  
5 miles per hour.
- 6 (bb) “All-terrain vehicle” means any motorized nonhighway vehicle  
7 48 inches or less in width, having a dry weight of 1,000 pounds or less,  
8 traveling on three or more low-pressure tires, having a seat designed to  
9 be straddled by the operator. As used in this subsection, low-pressure tire  
10 means any pneumatic tire six inches or more in width, designed for use  
11 on wheels with rim diameter of 12 inches or less, and utilizing an oper-  
12 ating pressure of 10 pounds per square inch or less as recommended by  
13 the vehicle manufacturer.
- 14 (cc) “Implement of husbandry” means every vehicle designed or  
15 adapted and used exclusively for agricultural operations, including feed-  
16 lots, and only incidentally moved or operated upon the highways. Such  
17 term shall include, but not be limited to:
- 18 (1) A farm tractor;  
19 (2) a self-propelled farm implement;  
20 (3) a fertilizer spreader, nurse tank or truck permanently mounted  
21 with a spreader used exclusively for dispensing or spreading water, dust  
22 or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202,  
23 and amendments thereto, regardless of ownership;  
24 (4) a truck mounted with a fertilizer spreader used or manufactured  
25 principally to spread animal dung;  
26 (5) a mixer-feed truck owned and used by a feedlot, as defined in  
27 K.S.A. 47-1501, and amendments thereto, and specially designed and  
28 used exclusively for dispensing food to livestock in such feedlot.
- 29 (dd) “Motorized wheelchair” means any self-propelled vehicle de-  
30 signed specifically for use by a physically disabled person that is incapable  
31 of a speed in excess of 15 miles per hour.
- 32 (ee) “Oil well servicing, oil well clean-out or oil well drilling machin-  
33 ery or equipment” means a vehicle constructed as a machine used exclu-  
34 sively for servicing, cleaning-out or drilling an oil well and consisting in  
35 general of a mast, an engine for power, a draw works and a chassis per-  
36 manently constructed or assembled for one or more of those purposes.  
37 The passenger capacity of the cab of a vehicle shall not be considered in  
38 determining whether such vehicle is an oil well servicing, oil well clean-  
39 out or oil well drilling machinery or equipment.
- 40 (ff) “Electric personal assistive mobility device” means a self-balanc-  
41 ing two nontandem wheeled device, designed to transport only one per-  
42 son, with an electric propulsion system that limits the maximum speed of  
43 the device to 15 miles per hour or less.

1 (gg) “Electronic certificate of title” means any electronic record of  
2 ownership, including any lien or liens that may be recorded, retained by  
3 the division in accordance with K.S.A. 2005 Supp. 8-135d, and amend-  
4 ments thereto.

5 (hh) “Golf cart” means a motor vehicle that has not less than three  
6 wheels in contact with the ground, an unladen weight of not more than  
7 1,800 pounds, is designed to be and is operated at not more than 25 miles  
8 per hour and is designed to carry not more than four persons including  
9 the driver.

10 Sec. 4. K.S.A. 8-128 is hereby amended to read as follows: 8-128. (a)  
11 The following need not be registered under this act, any:

- 12 (1) Implement of husbandry;  
13 (2) all-terrain vehicle;  
14 (3) *golf cart*;  
15 ~~(4)~~ (4) road roller or road machinery temporarily operated or moved  
16 upon the highways;  
17 ~~(4)~~ (5) municipally owned fire truck;  
18 ~~(5)~~ (6) privately owned fire truck subject to a mutual aid agreement  
19 with a municipality;  
20 ~~(6)~~ (7) school bus owned and operated by a school district or a non-  
21 public school which has the name of the municipality, school district or  
22 nonpublic school plainly painted thereon;  
23 ~~(7)~~ (8) farm trailer used in carrying not more than 6,000 pounds  
24 owned by a person engaged in farming, which trailer is used exclusively  
25 by the owner to transport agricultural products produced by such owner  
26 or commodities purchased by the owner for use on the farm owned or  
27 rented by the owner of such trailer and the weight of any such farm trailer,  
28 plus the cargo weight of 6,000 pounds or less, shall not be considered in  
29 determining the gross weight for which the truck or truck tractor pro-  
30 pelling the same shall be registered; or  
31 ~~(8)~~ (9) farm trailer used and designed for transporting hay or forage  
32 from a field to a storage area or from a storage area to a feedlot, which  
33 is only incidentally moved or operated upon the highways, except that  
34 this paragraph shall not apply to a farm semitrailer.

35 (b) Self-propelled cranes where the crane operator on a job site op-  
36 erates the controls of such crane from a permanent housing or module  
37 on the crane and the crane is not constructed for the transportation of  
38 property, except the property that is required for the crane itself and  
39 earth moving equipment which are equipped with pneumatic tires may  
40 be moved on the highways of this state from one job location to another,  
41 or to or from places of storage, delivery or repair, without complying with  
42 the provisions of the law relating to registration and display of license  
43 plates but shall comply with all the other requirements of the law relating

1 to motor vehicles.

2 (c) Oil well servicing, oil well clean-out or oil well drilling machinery  
3 or equipment need not be registered under this act but shall comply with  
4 all the other requirements of the law relating to motor vehicles.

5 (d) A truck permanently mounted with a hydraulic concrete pump  
6 and placing boom may be moved on the highways of this state from one  
7 job location to another, or to or from places of storage delivery or repair,  
8 without being registered under this act, but shall comply with all the other  
9 requirements of the law relating to motor vehicles. The provisions of this  
10 subsection shall not apply to ready-mix concrete trucks.

11 Sec. 5. K.S.A. 2005 Supp. 8-1486 is hereby amended to read as fol-  
12 lows: 8-1486, K.S.A. 8-1402a, 8-1414a, 8-1439c, 8-1458a, 8-1459a, 8-  
13 1475a, 8-1487, 8-1488, 8-1489 and 8-1490 and amendments thereto, and  
14 K.S.A. 2005 Supp. 8-1491, and amendments thereto, *and section 1, and*  
15 *amendments thereto*, shall be a part of, and supplemental to, the uniform  
16 act regulating traffic on highways.

17 Sec. 6. K.S.A. 8-1701 is hereby amended to read as follows: 8-1701.

18 (a) It is unlawful for any person to drive or move or for the owner to  
19 cause or knowingly permit to be driven or moved on any highway any  
20 vehicle or combination of vehicles which does not contain those parts or  
21 is not at all times equipped with such lamps and other equipment in  
22 proper condition and adjustment as required in this article, or which is  
23 equipped in any manner in violation of any provision of any section of  
24 this article 17, or for any person to do any act forbidden or fail to perform  
25 any act required by any provision of any section of this article 17. Except  
26 as otherwise provided in K.S.A. 8-1742a, 8-1743, 8-1746 and 8-1750 to  
27 8-1760, inclusive, and amendments thereto, any violation of this subsec-  
28 tion (a) or of any other provision of this article 17 is a traffic infraction.

29 (b) Nothing contained in this article 17 shall be construed to prohibit  
30 the use of additional parts and accessories on any vehicle not inconsistent  
31 with the provisions of this article.

32 (c) The provisions of this article 17 with respect to equipment re-  
33 quired on vehicles shall not apply to implements of husbandry, road ma-  
34 chinery, road rollers or farm tractors except as specifically made appli-  
35 cable in this act.

36 (d) The provisions of this article 17 with respect to equipment re-  
37 quired on vehicles shall not apply to motorcycles or motor-driven cycles,  
38 except as specifically made applicable by law.

39 (e) A low-speed vehicle which is in compliance with the equipment  
40 requirements in 49 C.F.R. 571.500 shall be deemed to be in compliance  
41 with the provisions of this article 17.

42 (f) *A golf cart which is in compliance with the equipment require-*  
43 *ments of section 2, and amendments thereto, shall be deemed to be in*

1 *compliance with the provisions of this article 17.*

2 Sec. 7. K.S.A. 8-1717 is hereby amended to read as follows: 8-1717.

3 (a) Every farm tractor manufactured or assembled after January 1, 1975,  
4 shall be equipped with vehicular hazard warning lights of a type described  
5 in K.S.A. 8-1722, and amendments thereto, visible from a distance of not  
6 less than 1,000 feet to the front and rear in normal sunlight, which shall  
7 be displayed whenever any such vehicle is operated upon a highway.

8 (b) Every farm tractor manufactured or assembled after January 1,  
9 1975, shall at all times, and every other such motor vehicle shall at all  
10 times mentioned in K.S.A. 8-1703, and amendments thereto, be equipped  
11 with lamps and reflectors as follows:

12 (1) At least two head lamps meeting the requirements of K.S.A. 8-  
13 1724, 8-1726 or 8-1727, and amendments thereto.

14 (2) At least one red lamp visible when lighted from a distance of not  
15 less than 1,000 feet to the rear mounted as far to the left of the center  
16 of the vehicle as practicable.

17 (3) At least two red reflectors visible from all distances within 600  
18 feet to 100 feet to the rear when directly in front of lawful lower beams  
19 of head lamps.

20 (c) On every combination of farm tractor and towed farm equipment  
21 or towed implement of husbandry, the farm tractor shall be equipped as  
22 required in subsections (a) and (b), and the towed unit shall be equipped  
23 at all times mentioned in K.S.A. 8-1703, and amendments thereto, with  
24 lamps and reflectors as follows:

25 (1) If the towed unit or its load extends more than four feet to the  
26 rear of the tractor or obscures any light thereon, the unit shall be  
27 equipped on the rear with at least one red lamp visible when lighted from  
28 a distance of not less than 1,000 feet to the rear, mounted as far to the  
29 left of the center of the towed unit as practicable, and at least two red  
30 reflectors visible from all distances within 600 feet to 100 feet to the rear  
31 when directly in front of lawful lower beams of head lamps.

32 (2) If the towed unit of such combination extends more than four  
33 feet to the left of the center line of the tractor, the unit shall be equipped  
34 on the front with an amber reflector visible from all distances within 600  
35 feet to 100 feet to the front when directly in front of lawful lower beams  
36 of head lamps. This reflector shall be so positioned to indicate, as nearly  
37 as practicable, the extreme left projection of the towed unit.

38 (3) If the towed unit or its load obscures either of the vehicle hazard  
39 warning lights on the tractor, the towed unit shall be equipped with ve-  
40 hicle hazard warning lights described in subsection (a).

41 (d) The two red reflectors required in the preceding subsections shall  
42 be so positioned as to show from the rear, as nearly as practicable, the  
43 extreme width of the vehicle or combination carrying them. If all other

1 requirements are met, reflective tape or paint may be used in lieu of the  
2 reflectors required by subsection (c).

3 (e) As used in this section:

4 (1) “Slow-moving vehicle” means any vehicle, *golf cart*, farm tractor,  
5 implement of husbandry, equipment or piece of machinery designed for  
6 use at speeds of less than 25 miles per hour, or which is normally moved  
7 at speeds of less than 25 miles per hour, and includes all road construction  
8 or maintenance machinery, except when such machinery is engaged in  
9 actual construction or maintenance work and there is either a flagman or  
10 clearly visible warning signs to warn of such machinery’s presence on the  
11 roadway.

12 (2) “Slow-moving vehicle emblem” means a triangular-shaped em-  
13 blem of substantial construction having equal sides of 14 inches and an  
14 altitude of 12 inches, and such emblem shall be painted a fluorescent  
15 yellow-orange color and bordered with reflective red-colored strips hav-  
16 ing a minimum width of 1¾ inches, with the vertices of the overall triangle  
17 truncated in such a manner that the remaining altitude shall be at least  
18 14 inches.

19 (f) The secretary of transportation shall approve slow-moving vehicle  
20 emblems which meet the requirements of this act, and shall compile and  
21 publish a list of approved emblems and the manufacturers thereof.

22 (g) A slow-moving vehicle emblem shall be mounted or affixed on  
23 the rear of the slow-moving vehicle in compliance with standard S276.2  
24 of the American society of agricultural engineers, as such standard was  
25 revised in March, 1968.

26 (h) No person shall operate any slow-moving vehicle on any highway  
27 which is within the national system of interstate and defense highways,  
28 the state highway system or the state system of modern express highways  
29 and freeways, unless such vehicle is equipped with a properly mounted  
30 slow-moving vehicle emblem, which has been approved by the secretary  
31 of transportation, and which is maintained in a clean, fluorescent and  
32 reflective condition, or display a slow-moving vehicle emblem on any  
33 vehicle other than a slow-moving vehicle or display such emblem on a  
34 slow-moving vehicle which is being operated at a speed of 25 miles per  
35 hour or more, or to use such emblem in any manner other than authorized  
36 by this section.

37 (i) Notwithstanding the provisions of this section, ~~a~~ *any* low-speed  
38 vehicle ~~or golf cart~~ shall not be required to display a slow-moving vehicle  
39 emblem.

40 Sec. 8. K.S.A. 8-2002 is hereby amended to read as follows: 8-2002.

41 (a) The provisions of this act shall not be deemed to prevent local au-  
42 thorities with respect to streets and highways under their jurisdiction and  
43 within the reasonable exercise of the police power from:

- 1 (1) Regulating or prohibiting stopping, standing or parking;
- 2 (2) regulating traffic by means of police officers or official traffic-
- 3 control devices;
- 4 (3) regulating or prohibiting processions or assemblages on the
- 5 highways;
- 6 (4) designating particular highways or roadways for use by traffic
- 7 moving in one direction as authorized in K.S.A. 8-1521, and amendments
- 8 thereto;
- 9 (5) establishing speed limits for vehicles in public parks notwithstand-
- 10 ing the provisions of subsection (a)(3) of K.S.A. 8-1560, and amendments
- 11 thereto;
- 12 (6) designating any highway as a through highway or designating any
- 13 intersection or junction of roadways as a stop or yield intersection or
- 14 junction;
- 15 (7) restricting the use of highways as authorized in K.S.A. 8-1912,
- 16 and amendments thereto;
- 17 (8) regulating the operation of bicycles and requiring the registration
- 18 and inspection of same, including the requirement of a registration fee;
- 19 (9) regulating or prohibiting the turning of vehicles or specified types
- 20 of vehicles;
- 21 (10) altering or establishing speed limits as authorized in K.S.A. 8-
- 22 1560, and amendments thereto;
- 23 (11) establish school zones as provided in subsection (a)(4) of K.S.A.
- 24 8-1560, and amendments thereto;
- 25 (12) designating no-passing zones as authorized in K.S.A. 8-1520, and
- 26 amendments thereto;
- 27 (13) prohibiting or regulating the use of controlled-access roadways
- 28 by any class or kind of traffic as authorized in K.S.A. 8-1525, and amend-
- 29 ments thereto;
- 30 (14) prohibiting or regulating the use of heavily traveled streets by
- 31 any class or kind of traffic found to be incompatible with the normal and
- 32 safe movement of traffic;
- 33 (15) establishing minimum speed limits as authorized in subsection
- 34 (b) of K.S.A. 8-1561, and amendments thereto;
- 35 (16) designating hazardous railroad grade crossings as authorized in
- 36 K.S.A. 8-1552, and amendments thereto;
- 37 (17) designating and regulating traffic on play streets;
- 38 (18) prohibiting pedestrians from crossing a roadway in a business
- 39 district or any designated highway except in a crosswalk as authorized in
- 40 K.S.A. 8-2006, and amendments thereto;
- 41 (19) restricting pedestrian crossings at unmarked crosswalks as au-
- 42 thorized in K.S.A. 8-2007, and amendments thereto;
- 43 (20) regulating persons propelling push carts;

1 (21) regulating persons upon skates, coasters, sleds and other toy  
2 vehicles;

3 (22) adopting and enforcing such temporary or experimental regu-  
4 lations as may be necessary to cover emergencies or special conditions;

5 (23) adopting such other traffic regulations as are specifically author-  
6 ized by this act; *or*

7 (24) *regulating the operation of golf carts.*

8 (b) No local authority shall erect or maintain any official traffic-con-  
9 trol device at any location so as to require the traffic on any state highway  
10 to stop before entering or crossing any intersecting highway unless ap-  
11 proval in writing has first been obtained from the secretary of  
12 transportation.

13 (c) No ordinance, resolution or regulation enacted under paragraph  
14 (4), (5), (6), (7), (9), (10), (12), (13), (14), (16), (17) or (19) of subsection  
15 (a) of this section shall be effective until official traffic-control devices  
16 giving notice of such local traffic regulations are erected upon or at the  
17 entrances to the highway or part thereof affected as may be most  
18 appropriate.

19 (d) No ordinance, resolution or regulation enacted under paragraph  
20 (5), (10) or (22) shall establish a speed limit in excess of the speed limit  
21 established by or pursuant to subsection (a) of K.S.A. 8-1558, and amend-  
22 ments thereto, or paragraph (2) of subsection (a) or subsection (b) of  
23 K.S.A. 8-1560, and amendments thereto.

24 Sec. 9. K.S.A. 2005 Supp. 8-2118 is hereby amended to read as fol-  
25 lows: 8-2118. (a) A person charged with a traffic infraction shall, except  
26 as provided in subsection (b), appear at the place and time specified in  
27 the notice to appear. If the person enters an appearance, waives right to  
28 trial, pleads guilty or no contest, the fine shall be no greater than that  
29 specified in the uniform fine schedule in subsection (c) and court costs  
30 shall be taxed as provided by law.

31 (b) Prior to the time specified in the notice to appear, a person  
32 charged with a traffic infraction may enter a written appearance, waive  
33 right to trial, plead guilty or no contest and pay the fine for the violation  
34 as specified in the uniform fine schedule in subsection (c) and court costs  
35 provided by law. Payment may be made by mail or in person and may be  
36 by personal check. The traffic citation shall not have been complied with  
37 if a check is not honored for any reason, or if the fine and court costs are  
38 not paid in full. When a person charged with a traffic infraction makes  
39 payment without executing a written waiver of right to trial and plea of  
40 guilty or no contest, the payment shall be deemed such an appearance,  
41 waiver of right to trial and plea of no contest.

42 (c) The following uniform fine schedule shall apply uniformly  
43 throughout the state but shall not limit the fine which may be imposed

1 following a court appearance, except an appearance made for the purpose  
 2 of pleading and payment as permitted by subsection (a). The description  
 3 of offense contained in the following uniform fine schedule is for refer-  
 4 ence only and is not a legal definition.

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
5 Refusal to submit to a preliminary breath test	8-1012	\$90
6 Unsafe speed for prevailing conditions	8-1557	\$60
7 Exceeding maximum speed limit; or speeding	8-1558	1-10 mph over the limit, \$30
8 in zone posted by the state department of	to	
9 transportation; or speeding in locally posted	8-1560	11-20 mph over the limit,
10 zone	8-1560a	\$30 plus \$6 per mph over
11	or	10 mph over the limit;
12	8-1560b	
13		21-30 mph over the limit,
14		\$90 plus \$9 per mph over
15		20 mph over the limit;
16		
17		31 and more mph over the
18		limit, \$180 plus \$15 per
19		mph over 30 mph over the
20		limit;
21		
22 Disobeying traffic control device	8-1507	\$60
23 Violating traffic control signal	8-1508	\$60
24 Violating pedestrian control signal	8-1509	\$30
25 Violating flashing traffic signals	8-1510	\$60
26 Violating lane-control signal	8-1511	\$60
27 Unauthorized sign, signal, marking or device	8-1512	\$30
28 Driving on left side of roadway	8-1514	\$60
29 Failure to keep right to pass oncoming vehicle	8-1515	\$60
30 Improper passing; increasing speed when	8-1516	\$60
31 passed		
32 Improper passing on right	8-1517	\$60
33 Passing on left with insufficient clearance	8-1518	\$60
34 Driving on left side where curve, grade,	8-1519	\$60
35 intersection railroad crossing, or obstructed		
36 view		
37 Driving on left in no-passing zone	8-1520	\$60
38 Unlawful passing of stopped emergency	8-1520a	\$60
39 vehicle		
40 Driving wrong direction on one-way road	8-1521	\$60
41 Improper driving on laned roadway	8-1522	\$60
42 Following too close	8-1523	\$60
43 Improper crossover on divided highway	8-1524	\$30

1	Failure to yield right-of-way at uncontrolled	8-1526	\$60
2	intersection		
3	Failure to yield to approaching vehicle when	8-1527	\$60
4	turning left		
5	Failure to yield at stop or yield sign	8-1528	\$60
6	Failure to yield from private road or driveway	8-1529	\$60
7	Failure to yield to emergency vehicle	8-1530	\$180
8	Failure to yield to pedestrian or vehicle	8-1531	\$30
9	working on roadway		
10	Failure to comply with restrictions in road	8-1531a	\$30
11	construction zone		
12	Disobeying pedestrian traffic control device	8-1532	\$30
13	Failure to yield to pedestrian in crosswalk;	8-1533	\$60
14	pedestrian suddenly entering roadway;		
15	passing vehicle stopped for pedestrian at		
16	crosswalk		
17	Improper pedestrian crossing	8-1534	\$30
18	Failure to exercise due care in regard to	8-1535	\$30
19	pedestrian		
20	Improper pedestrian movement in crosswalk	8-1536	\$30
21	Improper use of roadway by pedestrian	8-1537	\$30
22	Soliciting ride or business on roadway	8-1538	\$30
23	Driving through safety zone	8-1539	\$30
24	Failure to yield to pedestrian on sidewalk	8-1540	\$30
25	Failure of pedestrian to yield to emergency	8-1541	\$30
26	vehicle		
27	Failure to yield to blind pedestrian	8-1542	\$30
28	Pedestrian disobeying bridge or railroad signal	8-1544	\$30
29	Improper turn or approach	8-1545	\$60
30	Improper “U” turn	8-1546	\$60
31	Unsafe starting of stopped vehicle	8-1547	\$30
32	Unsafe turning or stopping, failure to give	8-1548	\$60
33	proper signal; using turn signal unlawfully		
34	Improper method of giving notice of intention	8-1549	\$30
35	to turn		
36	Improper hand signal	8-1550	\$30
37	Failure to stop or obey railroad crossing signal	8-1551	\$180
38	Failure to stop at railroad crossing stop sign	8-1552	\$120
39	Certain hazardous vehicles failure to stop at	8-1553	\$180
40	railroad crossing		
41	Improper moving of heavy equipment at	8-1554	\$60
42	railroad crossing		
43			

1	Vehicle emerging from alley, private roadway,	8-1555	\$60
2	building or driveway		
3	Improper passing of school bus; improper use	8-1556	\$300
4	of school bus signals		
5	Improper passing of church or day-care bus;	8-1556a	\$180
6	improper use of signals		
7	Impeding normal traffic by slow speed	8-1561	\$30
8	Speeding on motor-driven cycle	8-1562	\$60
9	Speeding in certain vehicles or on posted	8-1563	\$30
10	bridge		
11	Improper stopping, standing or parking on	8-1569	\$30
12	roadway		
13	Parking, standing or stopping in prohibited	8-1571	\$30
14	area		
15	Improper parking	8-1572	\$30
16	Unattended vehicle	8-1573	\$30
17	Improper backing	8-1574	\$30
18	Driving on sidewalk	8-1575	\$30
19	Driving with view or driving mechanism	8-1576	\$30
20	obstructed		
21	Unsafe opening of vehicle door	8-1577	\$30
22	Riding in house trailer	8-1578	\$30
23	Improper driving in defiles, canyons, or on	8-1579	\$30
24	grades		
25	Coasting	8-1580	\$30
26	Following fire apparatus too closely	8-1581	\$60
27	Driving over fire hose	8-1582	\$30
28	Putting glass, etc., on highway	8-1583	\$90
29	Driving into intersection, crosswalk, or	8-1584	\$30
30	crossing without sufficient space on other		
31	side		
32	Improper operation of snowmobile on	8-1585	\$30
33	highway		
34	Parental responsibility of child riding bicycle	8-1586	\$30
35	Not riding on bicycle seat; too many persons	8-1588	\$30
36	on bicycle		
37	Clinging to other vehicle	8-1589	\$30
38	Improper riding of bicycle on roadway	8-1590	\$30
39	Carrying articles on bicycle; one hand on	8-1591	\$30
40	handlebars		
41	Improper bicycle lamps, brakes or reflectors	8-1592	\$30
42	Improper operation of motorcycle; seats;	8-1594	\$30
43	passengers, bundles		

1	Improper operation of motorcycle on laned	8-1595	\$60
2	roadway		
3	Motorcycle clinging to other vehicle	8-1596	\$30
4	Improper motorcycle handlebars or passenger	8-1597	\$60
5	equipment		
6	Motorcycle helmet and eye-protection	8-1598	\$30
7	requirements		
8	Unlawful riding on vehicle	8-1578a	\$60
9	Unlawful operation of all-terrain vehicle	8-15,100	\$60
10	Unlawful operation of low-speed vehicle	8-15,101	\$60
11	Littering	8-15,102	\$100
12	<i>Unlawful operation of golf cart</i>	<i>section 2</i>	<i>\$60</i>
13	Equipment offenses that are not	8-1701	\$60
14	misdemeanors		
15	Driving without lights when needed	8-1703	\$30
16	Defective headlamps	8-1705	\$30
17	Defective tail lamps	8-1706	\$30
18	Defective reflector	8-1707	\$30
19	Improper stop lamp or turn signal	8-1708	\$30
20	Improper lighting equipment on certain	8-1710	\$30
21	vehicles		
22	Improper lamp color on certain vehicles	8-1711	\$30
23	Improper mounting of reflectors and lamps on	8-1712	\$30
24	certain vehicles		
25	Improper visibility of reflectors and lamps on	8-1713	\$30
26	certain vehicles		
27	No lamp or flag on projecting load	8-1715	\$60
28	Improper lamps on parked vehicle	8-1716	\$30
29	Improper lights, lamps, reflectors and	8-1717	\$30
30	emblems on farm tractors or slow-moving		
31	vehicles		
32	Improper lamps and equipment on	8-1718	\$30
33	implements of husbandry, road machinery		
34	or animal-drawn vehicles		
35	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$30
36	Improper lamps or lights on emergency	8-1720	\$30
37	vehicle		
38	Improper stop or turn signal	8-1721	\$30
39	Improper vehicular hazard warning lamp	8-1722	\$30
40	Unauthorized additional lighting equipment	8-1723	\$30
41	Improper multiple-beam lights	8-1724	\$30
42	Failure to dim headlights	8-1725	\$60
43	Improper single-beam headlights	8-1726	\$30

1	Improper speed with alternate lighting	8-1727	\$30
2	Improper number of driving lamps	8-1728	\$30
3	Unauthorized lights and signals	8-1729	\$30
4	Improper school bus lighting equipment and	8-1730	\$30
5	warning devices		
6	Unauthorized lights and devices on church or	8-1730a	\$30
7	day-care bus		
8	Improper lights on highway construction or	8-1731	\$30
9	maintenance vehicles		
10	Defective brakes	8-1734	\$30
11	Defective or improper use of horn or warning	8-1738	\$30
12	device		
13	Defective muffler	8-1739	\$30
14	Defective mirror	8-1740	\$30
15	Defective wipers; obstructed windshield or	8-1741	\$30
16	windows		
17	Improper tires	8-1742	\$30
18	Improper flares or warning devices	8-1744	\$30
19	Improper use of vehicular hazard warning	8-1745	\$30
20	lamps and devices		
21	Improper air-conditioning equipment	8-1747	\$30
22	TV screen visible to driver	8-1748	\$30
23	Improper safety belt or shoulder harness	8-1749	\$30
24	Improper wide-based single tires	8-1742b	\$60
25	Improper compression release engine braking	8-1761	\$60
26	system		
27	Defective motorcycle headlamp	8-1801	\$30
28	Defective motorcycle tail lamp	8-1802	\$30
29	Defective motorcycle reflector	8-1803	\$30
30	Defective motorcycle stop lamps and turn	8-1804	\$30
31	signals		
32	Defective multiple-beam lighting	8-1805	\$30
33	Improper road-lighting equipment on motor-	8-1806	\$30
34	driven cycles		
35	Defective motorcycle or motor-driven cycle	8-1807	\$30
36	brakes		
37	Improper performance ability of brakes	8-1808	\$30
38	Operating motorcycle with disapproved	8-1809	\$30
39	braking system		
40	Defective horn, muffler, mirrors or tires	8-1810	\$30
41	Unlawful statehouse parking	75-4510a	\$15
42			
43			

1	Exceeding gross weight of vehicle or	8-1909	Pounds Overweight
2	combination		up to 1000 ..... \$25
3			1001 to 2000 ..... 3¢ per pound
4			2001 to 5000 ..... 5¢ per pound
5			5001 to 7500 ..... 7¢ per pound
6			7501 and over ... 10¢ per pound
7	Exceeding gross weight on any axle or tandem,	8-1908	Pounds Overweight
8	triple or quad axles		up to 1000 ..... \$25
9			1001 to 2000 ..... 3¢ per pound
10			2001 to 5000 ..... 5¢ per pound
11			5001 to 7500 ..... 7¢ per pound
12			7501 and over ... 10¢ per pound
13	Failure to obtain proper registration, clearance	66-1324	\$272
14	or to have current certification		
15	Insufficient liability insurance for motor	66-1,128	\$122
16	carriers	or 66-1314	
17	Failure to obtain interstate motor fuel tax	79-34,122	\$122
18	authorization		
19	No authority as private or common carrier	66-1,111	\$122
20	Improper equipment	66-1,129	\$52
21	No current driver's daily log	66-1,129	\$52
22	Invalid or no physical examination card	66-1,129	\$52

23 (d) Traffic offenses classified as traffic infractions by this section shall  
 24 be classified as ordinance traffic infractions by those cities adopting  
 25 ordinances prohibiting the same offenses. A schedule of fines for all  
 26 ordinance traffic infractions shall be established by the municipal judge  
 27 in the manner prescribed by K.S.A. 12-4305, and amendments thereto.  
 28 Such fines may vary from those contained in the uniform fine schedule  
 29 contained in subsection (c).

30 (e) Fines listed in the uniform fine schedule contained in subsection  
 31 (c) shall be doubled if a person is convicted of a traffic infraction, which  
 32 is defined as a moving violation in accordance with rules and regulations  
 33 adopted pursuant to K.S.A. 8-249, and amendments thereto, committed  
 34 within any road construction zone as defined in K.S.A. 8-1458a, and  
 35 amendments thereto.

36 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and  
 37 amendments thereto, within two years after a prior conviction of K.S.A.  
 38 8-1908 or 8-1909, and amendments thereto, such person, upon conviction  
 39 shall be fined 1½ times the applicable amount from one, but not both,  
 40 of the schedules listed in the uniform fine schedule contained in  
 41 subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and  
 42 amendments thereto, within two years, after two prior convictions of  
 43 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon

1 conviction shall be fined two times the applicable amount from one, but  
2 not both, of the schedules listed in the uniform fine schedule contained  
3 in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-  
4 1908 or 8-1909, and amendments thereto, within two years after three  
5 prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto,  
6 such person, upon conviction shall be fined 2½ times the applicable  
7 amount from one, but not both, of the schedules listed in the uniform  
8 fine schedule contained in subsection (c).

9 Sec. 10. K.S.A. 8-128, 8-1701, 8-1717 and 8-2002 and K.S.A. 2005  
10 Supp. 8-126, 8-1486 and 8-2118 are hereby repealed.

11 Sec. 11. This act shall take effect and be in force from and after its  
12 publication in the statute book.